



The Gazette of Meghalaya

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 91

Shillong, Wednesday, June 30, 2010,

9th Asadha,

1932 (S. E.)

PART IV

**GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR**

NOTIFICATION

The 30th June, 2010.

No.LL(B).87/97/131.—The Meghalaya Municipal (Amendment) Ordinance, 2010 (No.3 of 2010) is hereby published for general information.

MEGHALAYA ORDINANCE NO. 3 OF 2010

As promulgated by the Governor of Meghalaya on the 30th June, 2010
Published in the Gazette of Meghalaya Extra-Ordinary issue dated 30th June, 2010

THE MEGHALAYA MUNICIPAL (AMENDMENT) ORDINANCE, 2010.

An
Ordinance

further to amend the Meghalaya Municipal Act (Assam Act XV of 1957 as adapted by Meghalaya).

Whereas, the Legislative Assembly of Meghalaya is not in session and the Governor of Meghalaya is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Meghalaya is pleased to promulgate in the Sixty-first Year of the Republic of India the following Ordinance, namely: -

Short title and commencement. 1. (1) This Ordinance may be called the Meghalaya Municipal (Amendment) Ordinance, 2010.

(2) It shall come into force at once.

Amendment of section 11.

2. In section 11 of the Meghalaya Municipal Act (Assam Act XV of 1957 as adapted by Meghalaya) (hereinafter referred to as the principal Act), for the existing sub-sections (2) and (3) the following new sub-sections (2) and (3) shall be substituted, namely, -

“(2) Seats of Commissioners in every municipality shall be reserved for scheduled tribes and the number of seats so reserved shall bear, as nearly as practicable, the same proportion to the total number of seats to be filled by direct election as the population of scheduled tribes in the municipal area bears to the total population of the Municipality. The seats so reserved for the scheduled tribes, however shall not be less than 4/5th of the total number of Wards of that Municipality”.

“(3) 33% of the seats of commissioners in every Municipality shall be reserved for the women. The seats so reserved shall be selected from the wards having the highest percentage of women population at the time of conduct of election to the concerned Municipality”.

Amendment of section 26.

3. In section 26 of the principal Act, -

(a) for the existing sub-section (1), the following new sub-section (1) shall be substituted, namely, -

“(1) Except as otherwise provided in this Act, the term of the elected and appointed Commissioners shall be five years from the date of the date of the first meeting or newly constituted Board after a general election at which a quorum is present under sub-section (4), whichever is later. Election shall be held before the expiry of the term but not earlier than three months before such expiry”.

(b) for the existing sub-section (3), the following new sub-section (3) shall be substituted, namely, -

“(3) the term of five years referred to in sub-section (1) shall be held to include any period which may elapse between the expiry of the said five years and the date of the first meeting of the newly constituted Board at which a quorum is present”.

(c) for the existing sub-section (5), the following new sub-section (5) shall be substituted, namely, -

“(5) If the term of the office of the Commissioner of a Board expires and for any reason the election as provided in sub-section (1) cannot be held, the Board shall be deemed to have been dissolved under section 298 with effect from the date of expiry of the term of the Commissioners and thereafter the provisions of section 299 shall apply to the Board and the Government shall nominate the Commissioners accordingly in conformity with section 11(2) and 11(3). The Government may de-notify any or all the commissioners nominated at any time without giving any reason thereof.

Dated Raj Bhavan,
Shillong, the 30th June, 2010.

R. S. MOOSAHARY,
GOVERNOR OF MEGHALAYA.

Dated Shillong,
The 30th June, 2010.

L. M. SANGMA,
Secretary,
to the Government of Meghalaya,
Law (B) Department, Shillong.



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PART IV

**GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR**

NOTIFICATION

The 30th June, 2010.

No.LL(B).55/2010/5.—The Meghalaya Municipal Disclosure Ordinance, 2010 (No.4 of 2010) is hereby published for general information.

MEGHALAYA ORDINANCE NO. 4 OF 2010

As promulgated by the Governor of Meghalaya on the 30th June, 2010
Published in the Gazette of Meghalaya Extra-Ordinary issue dated 30th June, 2010

THE MEGHALAYA MUNICIPAL DISCLOSURE ORDINANCE, 2010.

An
Ordinance

to provide for transparency and accountability in the functioning of municipalities.

Whereas, the Legislative Assembly of Meghalaya is not in session and the Governor of Meghalaya is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Meghalaya is pleased to promulgate in the Sixty-first Year of the Republic of India the following Ordinance, namely: -

***Short title,
extent and
commencement.***

1. (1) This Ordinance may be called the Meghalaya Disclosure Ordinance, 2010.
(2) It extends to Municipalities as may be notified by the State Government from time to time.
(3) It shall come into force at once.

Definitions.

2. In this context, unless there is anything repugnant in the subject or context: -
- (a) "Ordinance" mean the Meghalaya Municipal Disclosure Ordinance, 2010;
 - (b) "Assets" means all immovable assets in the municipality;
 - (c) "Municipality" means an institution of self-government constituted under Article 243-Q of the Constitution of India; and
 - (d) "State Government" means the Government of the State of Meghalaya.

Obligation of Municipality.

3. Every municipality shall maintain and publish all its records duly catalogued and indexed, in a manner and such form which enables the municipality under this Ordinance to disclose the required information as specified in Part-A and Part-B of Appendix to this Ordinance at quarterly intervals.

Manner of Disclosure.

4. Manner of Disclosure shall include: -

- (a) newspaper in regional or Hindi and English language;
- (b) internet;
- (c) notice Boards of the municipality;
- (d) ward Offices;
- (e) any other mode, as may be prescribed, by the State Government under this Ordinance, rules and include notification issued from time to time.

Power to make rules.

5. (1) the State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Ordinance.
- (2) All rule made under this Ordinance by the State Government shall as soon as may be after they are made, be laid before the State Legislature of Meghalaya.

Power to remove difficulties.

6. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order published in the Official Gazette, make such provision not inconsistent with the provisions of this Ordinance as appeared to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Ordinance.

(2) Every order made under this section shall, as soon as after it is made, be laid before the State Legislature.

Dated Raj Bhavan,
Shillong, the 30th June, 2010.

R. S. MOOSAHARY,
GOVERNOR OF MEGHALAYA.

Dated Shillong,
The 30th June, 2010.

L. M. SANGMA,
Secretary,
to the Government of Meghalaya,
Law (B) Department, Shillong.

APPENDIX**Part A**

1. **Particulars of the municipality;**
2. **A statement of the boards, councils, committees and other bodies consisting of two or more person constituted as its part or the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public or the minutes of such meetings are accessible for public;**
3. **A directory of its officers and employees;**
4. **The particulars of officers who grant concession, permits or authorization for each activity;**

Part B

1. Audited financial statements of Balance Sheet, Receipts and Expenditures, and Cash Flow on a quarterly basis, within two months of end of each quarter; and statutorily audited financial statements for the full financial year, within three months of the end of the financial year;
2. The service levels being provided for each of the services being undertaken by the municipality;
3. Particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;
4. Details of subsidy programmes on major services provided or activities performed by the municipality, and manner and criteria of identification of beneficiaries for such programmes;
5. Particulars of the Master plan, City Development Plan or any other plan concerning the development of the municipal area;
6. The particulars of major works as may be defined in the Rules to be made under this Act, together with information on the value of works, time of completion, and details of contract;
7. The details of the municipal funds i.e., income generated in the previous year by the following:-
 - (a) Taxes, duties, cess and surcharge, rent from the properties, fees from licenses and permission;
 - (b) Taxes, duties cess and surcharge, rent from the properties, fees from licenses and permission that remain uncollected and the reasons thereof;
 - (c) Share of taxes levied by the State Government and transferred to municipality and the grants released to the municipality;
 - (d) Grants released by the State Government for implementation of the schemes, projects and plans assigned or entrusted to the municipality the nature and extent of utilization;
 - (e) Money raised through donation or contribution from public or non governmental agencies;
8. Annual budget allocated to each ward.

Such other information as maybe prescribed by the State Government undr Part-A or Part-B.
